

SCAG Conflict of Interest

REGIONAL COUNCIL ATTACHMENT #3.1.7

Thursday, June 5, 2003

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MEMORANDUM

TO: Regional Council and Administrative Committee
FROM: Colin Lennard, General Counsel
DATE: March 31, 2003
RE: SCAG's Consultant Selection Process and SCAG's Conflict of Interest Policy

On February 25, 2003 an Ad Hoc Committee of the Honorable Ron Roberts, Bev Perry, Sidney Tyler Jr., Ronald Bates, and Jim Gosnell, Karen Tachiki and myself, met to discuss clarification of SCAG's Conflict of Interest Policy as applied to the consultant selection process by elected officials of SCAG, relating to federal and State lobbying consultants and public relations consultants retained by SCAG. After discussion and questions by the Committee, I was instructed to draft specific "conflict criteria" applicable to elected officials participating in the selection of the consultants referred to above. **It should be noted that the following policy has very limited application because it is limited to very few SCAG contracts.**

The following new §2.6.10 is therefore recommended to be added to the SCAG Conflict of Interest Policy:

"2.6.10 Participation by elected officials in selecting consultants providing federal and State lobbying or public relations services to SCAG.

Elected officials shall not participate in the selection of consultants to provide federal or State lobbying services or public relation services to SCAG if:

- (a) Any such consultant referred to above is also retained by the City Council, or County Board of Supervisors which the elected official is a member of.
- (b) The elected official has a financial interest in the consultants contract otherwise prohibited under SCAG's Conflict of Interest Policy.
- (c) The elected official's participation in the selection of the consultant would otherwise create a bias towards one or more of the consultants so as to deny due process or equal protection to the remaining consultants being considered."